

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

KALISE S. WHITE,

Petitioner,

v.

ORDER

Civil File No. 12-527 (MJD/JJK)

NICOLE ENGLISH, Warden,

Respondent.

Kalise S. White, pro se.

Lonnie F. Bryan, Assistant United States Attorney, Counsel for Respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated July 9, 2012. Petitioner filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court adopts the Report and Recommendation of United States Magistrate Judge Keyes dated July 9, 2012, with the exception that the Court does not adopt Section II(A) of the Report and Recommendation because, in the Government's

Response to Petitioner's Response to Report and Recommendation [Docket No. 12] the Government notes that Petitioner has now exhausted her administrative remedies.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated July 9, 2012 [Docket No. 10], with the exception that the Court declines to adopt Section II(A) of the Report and Recommendation.
2. Petitioner's application for a writ of habeas corpus under 28 U.S.C. § 2241 [Docket No. 1] is **DENIED**.
3. This action is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 4, 2012

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court